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Attorneys for Defendant Sheng Thao

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

v.

SHENG THAO,
ANDRE JONES,
DAVID TRUNG DUONG, and
ANDY HUNG DUONG,
Defendants.

Case No. 4:25-CR-3-YGR

**DECLARATION OF DARRYL L.
TARVER IN SUPPORT OF
DEFENDANT SHENG THAO'S
MOTION TO SUPPRESS AND
JOINDER OF DEFENDANT DAVID
DUONG'S MOTION FOR FRANKS
HEARING**

Hearing Date: February 19, 2026
Hearing Time: 9:00 a.m.
Judge: The Hon. Yvonne Gonzalez Rogers
Courtroom: 1 (4th Floor)

1 I, Darryl L. Tarver, submit this Declaration in support of Defendant Sheng Thao's
2 Motion for Suppress and Joinder of David Duong's Motion for Franks Hearing. I am over 21
3 years of age and competent to testify to the following facts, all of which are true and correct to
4 the best of my knowledge, information, and belief.

5 1. I am an attorney with DLA Piper and admitted *pro hac vice* to practice before this
6 Court as counsel of record for Sheng Thao in the above entitled action. See ECF No. 95. I
7 submit this declaration in support of Sheng Thao's Motion to Suppress and Joinder of
8 Defendant David Duong's Motion for Franks Hearing (ECF No. 119).

9 2. Attached as Exhibit 1 is a true and correct copy of the warrant affidavit that FBI
10 Agent Duncan Haunold presented to U.S. Magistrate Judge Kandis A. Westmore on June 14,
11 2024.

12 3. Attached as Exhibit 2 is a true and correct copy of the warrant affidavit that FBI
13 Agent Duncan Haunold presented to U.S. Magistrate Judge Kandis A. Westmore on February
14 23, 2024.

15 4. Attached as Exhibit 3 is a true and correct copy of the search warrant signed by
16 U.S. Magistrate Judge Kandis A. Westmore on June 14, 2024.

17 5. Attached as Exhibit 4 is a true and correct copy of Alameda County District
18 Attorney Nancy O'Malley's [REDACTED]
19 [REDACTED]

20 6. Attached as Exhibit 5 is a true and correct copy of the California Bureau of Real
21 Estate's July 22, 2014 complaint in [REDACTED]

22 7. Attached as Exhibit 6 is a true and correct copy of the California Bureau of Real
23 Estate's March 13, 2015 order accepting voluntary surrender of real estate license in [REDACTED]
24 [REDACTED]

25 8. Attached as Exhibit 7 is a true and correct copy of the October 13, 2016
26 Misdemeanor Advisement of Rights, Waiver and Plea Form in [REDACTED]
27 [REDACTED]

28 9. Attached as Exhibit 8 is a true and correct copy of select pages from the Recipient

Committee Campaign Statement Cover Page for Nancy O'Malley for District Attorney 2018's contributions received between January 1, 2018, and April 1, 2018.

10. Attached as Exhibit 9 is a true and correct copy of the November 7, 2006 verified second amended complaint filed in [REDACTED]

11. Attached as Exhibit 10 is a true and correct copy of a July 2, 2008 case management statement filed in [REDACTED] Superior Court of California, County of Alameda.

12. Attached as Exhibit 11 is a true and correct copy of an October 7, 2020 counter claim for damages filed in [REDACTED] Superior Court of California, County of Alameda.

13. Attached as Exhibit 12 is true and correct copy of a December 9, 2024 People's response to defendant's motion to dismiss filed in [REDACTED] Superior Court of California, County of Alameda.

14. Attached as Exhibit 13 is a true and correct copy of a screenshotted text message exchange between Chief Cooperator and Andy Duong from March 26, 2023, produced by the government as discovery in this case.

I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief. As to matters stated on belief, I believe them to be true.

Executed this 4th day of December, 2025, at Baltimore, Maryland.

/s/Darryl L. Tarver
DARRYL L. TARVER

EXHIBIT 1
(submitted under seal)

EXHIBIT 2
(submitted under seal)

EXHIBIT 3
(submitted under seal)

EXHIBIT 4
(submitted under seal)

EXHIBIT 5
(submitted under seal)

EXHIBIT 6
(submitted under seal)

EXHIBIT 7
(submitted under seal)

EXHIBIT 8
(submitted under seal)

EXHIBIT 9
(submitted under seal)

EXHIBIT 10
(submitted under seal)

EXHIBIT 11
(submitted under seal)

EXHIBIT 12
(submitted under seal)

EXHIBIT 13
(submitted under seal)